

SECTION 1. Section 181.005(a), Utilities Code, is amended to read as follows:

(a) A gas corporation has the right to lay and maintain lines over, along, under, and across a public road, ~~[a railroad, railroad right-of-way,]~~ an interurban railroad, a street railroad, a canal or stream, or a municipal street or alley *and over, under, and across a railroad or a railroad right-of-way* only if:

(1) the pipeline complies with:

(A) all safety regulations adopted by the Railroad Commission of Texas and all federal regulations relating to pipeline facilities and pipelines; and

(B) all rules adopted by the Texas Department of Transportation or the Railroad Commission of Texas and all federal regulations regarding the accommodation of utility facilities on a right-of-way, including regulations relating to the horizontal or vertical placement of the pipeline; and

(2) the owner or operator of the pipeline ensures that the public right-of-way and any associated facility are promptly restored to their former condition of usefulness after the installation or maintenance of the pipeline.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2011.

Passed by the House on April 26, 2011: Yeas 148, Nays 0, 2 present, not voting; passed by the Senate on May 19, 2011: Yeas 31, Nays 0.

Approved June 17, 2011.

Effective June 17, 2011.

CHAPTER 314

H.B. No. 2295

AN ACT

relating to the administration of the universal service fund.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 56.021, Utilities Code, is amended to read as follows:

Sec. 56.021. UNIVERSAL SERVICE FUND ESTABLISHED. The commission shall adopt and enforce rules requiring local exchange companies to establish a universal service fund to:

(1) assist telecommunications providers in providing basic local telecommunications service at reasonable rates in high cost rural areas *under two plans*:

(A) *the Texas High Cost Universal Service Plan (16 T.A.C. Section 26.403); and*

(B) *the Small and Rural Incumbent Local Exchange Company Universal Service Plan (16 T.A.C. Section 26.404);*

(2) reimburse the telecommunications carrier that provides the statewide telecommunications relay access service under Subchapter D;

(3) finance the specialized telecommunications assistance program established under Subchapter E;

(4) reimburse the department, the Texas Commission for the Deaf and Hard of Hearing, and the commission for costs incurred in implementing this chapter and Chapter 57;

(5) reimburse a telecommunications carrier providing lifeline service as provided by 47 C.F.R. Part 54, Subpart E, as amended;

(6) finance the implementation and administration of an integrated eligibility process created under Section 17.007 for customer service discounts relating to telecommunications

services, including outreach expenses the commission determines are reasonable and necessary;

- (7) reimburse a designated provider under Subchapter F;
- (8) reimburse a successor utility under Subchapter G; and
- (9) finance the program established under Subchapter H.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2011.

Passed by the House on May 5, 2011: Yeas 146, Nays 0, 1 present, not voting; passed by the Senate on May 20, 2011: Yeas 31, Nays 0.

Approved June 17, 2011.

Effective June 17, 2011.

CHAPTER 315

H.B. No. 2312

AN ACT

relating to the creation of a sickle cell disease program.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Chapter 33, Health and Safety Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. SICKLE CELL DISEASE PROGRAM

Sec. 33.051. DEFINITIONS. In this subchapter:

- (1) "Commission" means the Health and Human Services Commission.
- (2) "Executive commissioner" means the executive commissioner of the Health and Human Services Commission.
- (3) "Health and human services agency" means a health and human services agency listed by Section 531.001, Government Code.
- (4) "Program" means the sickle cell disease program established under this subchapter.
- (5) "Sickle cell disease" means any variant of sickle cell disease, including sickle cell anemia and sickle cell thalassemia.

Sec. 33.052. DUTIES OF DEPARTMENT. The department shall:

- (1) identify efforts related to the expansion and coordination of education, treatment, and continuity of care programs for individuals with sickle cell trait and sickle cell disease;
- (2) assist the advisory committee created under Section 33.053; and
- (3) provide the advisory committee created under Section 33.053 with staff support necessary for the advisory committee to fulfill its duties.

Sec. 33.053. ADVISORY COMMITTEE. (a) The governor shall appoint an advisory committee composed of 11 members, including a program administrator. The members must be located in geographically diverse areas of the state and must be interested in and knowledgeable about sickle cell trait and sickle cell disease. In making appointments to the advisory committee, the governor shall consider appointing members who are:

- (1) representatives of a community agency;
- (2) state or local officials responsible for public health, social services, or rehabilitation;
- (3) representatives from educational institutions, including schools and universities;